

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 959 - SB 973

March 1, 2023

SUMMARY OF BILL: Requires a local education agency (LEA) to allow non-resident students who apply pursuant to the procedures established to enroll in a school within the LEA if space is available. Authorizes an LEA to deny a non-resident student permission to enroll in a particular program or school within the LEA only if there is a lack of space or teaching staff within a particular program or school requested; the pupil does not meet the established eligibility criteria for participation in a particular program; or a desegregation plan is in effect for the school district. Establishes procedures for acceptance and denial of enrollment requests.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Tennessee Code Annotated § 49-2-128(f)(2) already authorizes nonresident students to be enrolled in an LEA after all other applications have been acted upon.
- Pursuant to Tenn. Code Ann. § 49-6-3003, tuition and fees may be charged to nonresident students.
- Any change in student enrollment as a result of this legislation is projected to be within the annual student enrollment range that fluctuates on an annual basis. Any local fiscal impact is estimated to be not significant.
- Funding for non-resident students who enroll in an LEA would be generated through the Tennessee Investment in Student Achievement (TISA) formula; therefore, additional students will not increase overall state or local expenditures.
- The proposed legislation establishes a right to a formal legal hearing before the local board of education for a non-resident student who is denied a transfer.
- It is unknown how many additional hearings may occur as a result of the proposed legislation. However, it is assumed that a local board of education will be able comply with the legislation and accommodate additional hearings within existing resources. Any fiscal impact is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid, with the first letters of each name being capitalized and prominent.

Krista Lee Carsner, Executive Director

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